IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

DEMETRIUS NICKENS,	)	
	)	
Plaintiff,	)	
	)	
	)	
v.	)	**CIVIL ACTION**
	)	
EQUIFAX INFORMATION SERVICES	)	**FILE NO. 1:13-CV-0333-TWT-**
LLC, and HSBC CARD SERVICES,	)	**ECS**
INC.,	)	
	)	
	)	
Defendants.	)	

DEFENDANT HSBC CARD SERVICES INC.'S MOTION TO STRIKE
PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT

COMES NOW Defendant HSBC Card Services Inc. ("HSBC"), appearing specially so as to preserve any and all defenses available under Rule 12 of the Federal Rules of Civil Procedure, and pursuant to Fed. R. Civ. P. 12(f), hereby moves this Court for an Order striking Plaintiff's Motion for Partial Summary Judgment in the above-styled action because Plaintiff's Motion for Partial Summary Judgment is immaterial and frivolous, as well as procedurally and substantively deficient.

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As demonstrated in HSBC's Memorandum of Law in Support of Motion to Strike Plaintiff's Motion for Partial Summary Judgment, filed herewith, Plaintiff Demetrius Nickens's ("Plaintiff") Motion for Partial Summary Judgment should be stricken under Rule 12(f) because it is immaterial and blatantly frivolous. Further, Plaintiff's Motion for Partial Summary Judgment is both procedurally and substantively deficient.

WHEREFORE, for the reasons set forth herein and in HSBC's Memorandum of Law in Support of Motion to Strike Plaintiff's Motion for Partial Summary Judgment, HSBC respectfully requests that this Court enter an Order striking Plaintiff's Motion for Partial Summary Judgment, and all supporting documents filed therewith, from the record in this action.

Respectfully submitted this 22nd day of April, 2013.

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CERTIFICATION OF COUNSEL

I hereby certify that the foregoing **DEFENDANT HSBC CARD SERVICES INC.'S MOTION TO STRIKE PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT** has been prepared with Times New Roman, 14 point font, one of the font and point selections approved by the Court in LR 5.1B.

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CERTIFICATE OF SERVICE

I hereby certify that on the 22nd day of April, 2013, I presented the foregoing **DEFENDANT HSBC CARD SERVICES INC.'S MOTION TO STRIKE PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT** to the Clerk of Court for filing and uploading to the CM/ECF system, which will automatically send email notification of such filing to the following attorneys of record:

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Further, I hereby certify that I have mailed by United States Postal Service and by email the document to the following non-CM/ECF participants:

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